

**To:** Mylott, Richard[Mylott.Richard@epa.gov]  
**From:** McClain-Vanderpool, Lisa  
**Sent:** Wed 6/26/2013 10:14:29 PM  
**Subject:** RE: HCN: EPA drops study linking fracking to Pavillion pollution

I saw this one

**From:** Mylott, Richard  
**Sent:** Wednesday, June 26, 2013 4:09 PM  
**To:** McClain-Vanderpool, Lisa; Allen, Matthew  
**Subject:** FW: HCN: EPA drops study linking fracking to Pavillion pollution

Can't remember if I sent this one...

**From:** Mylott, Richard  
**Sent:** Wednesday, June 26, 2013 2:02 PM  
**To:** Cantor, Howard; Delp, Robert; Hooven, Molly; Bloomgren, David  
**Subject:** HCN: EPA drops study linking fracking to Pavillion pollution

Fyi.

# High Country News

For people who care about the West

## EPA drops study linking fracking to Pavillion pollution

[Sarah Gilman](#) | Jun 26, 2013 05:00 AM

To environmentalists, it must have looked, at last, like progress. The U.S. Environmental Protection Agency was finally getting serious about the potential risks posed by hydraulic fracturing -- wherein pressurized water, chemicals and sand are fired into rock formations to release natural gas or oil. Residents of Pavillion, Wyoming, had been complaining for years that their well water started smelling and looking foul after the oil and gas company EnCana began

drilling in a previously drilled field near their homes. Some contracted weird health problems, including neurological disorders and rashes, after drinking or bathing in the stuff.



Rancher John Fenton, Pavillion, Wyoming

After their concerns were essentially passed over by both EnCana and the state of Wyoming, the EPA stepped in to conduct its own tests in 2008. As ProPublica and High Country News reported, the agency found suspicious quantities of hydrocarbons and trace contaminants in residents' wells that could be linked to gas development. Then, after drilling two 1,000-foot-deep monitoring wells, the agency found high levels of benzene and other carcinogens in the deep groundwater underlying Pavillion. An EPA report released late in 2011, concluded that:

(P)ollution from 33 abandoned oil and gas waste pits – which are the subject of a separate cleanup program – (was) indeed responsible for some degree of shallow groundwater pollution in the area. Those pits may be the source of contamination affecting at least 42 private water wells in Pavillion. But the (deep) contamination, the agency concluded, had to have been caused by fracking.

On June 20, though, after vigorous complaints from industry and Wyoming that the agency flubbed its study, as well as years of delays, the EPA announced that it is abandoning the project completely. Do not pass go, do not pass through peer review. Instead, the state of Wyoming will conduct its own studies of the integrity of the gas wells in question, as well as evaluate residential water wells. It won't release its report until 2014. EnCana, meanwhile, has put \$1.5 million toward the effort.

“We went to EPA for help after the state of Wyoming and Encana refused to address the public health impacts of unbridled development in the Pavillion area,” rancher Fenton, chairman of the group Pavillion Area Concerned Citizens, told the Washington Post. “Now Encana has bought

their way back in and is working with the state on a strategy to cover up the mess they've created. Our government's priority is clearly to protect industry rather than Wyoming citizens, our health and our property values."

The Northern Arapahoe Tribe, whose Wind River Indian Reservation encompasses the gas field and community in question, has also called out the EPA, accusing it of failing to consult with the tribe in accordance with federal law and pointing out that the federal government – not the state -- is charged with managing mineral resources in trust for the tribe and should therefore continue to lead the effort to sleuth out contamination, [reports WyoFile](#).

Industry spokespeople [have crowed](#) that EPA's withdrawal clearly indicates its admission that the state of Wyoming and industry critics have been right all along. But, in a baffling turn, the agency itself [claims to still support](#) its work and data.

As the Natural Resources Defense Council [points out on its Switchboard blog](#), the decision reflects a disturbing trend on the agency's part of backing away from investigations into whether gas drilling may be implicated in the contamination of various communities' water supplies.

On a higher level, though, it's yet another example of the Obama administration coming out guns a-blazing, aiming at the high middle of progressive ambition on an environmental policy issue, only to shrink back (or roll back proposed rules) when things get politically ugly. It's something HCN staffers have tracked with bemusement since Obama's election in 2008. There were [those new ozone limits](#) that the administration had trumpeted as a necessary step to protect public health, for example, which it later withdrew and endlessly delayed for further review after a political flogging from the Republican-dominated House of Representatives. There were the Bureau of Land Management's first-ever hydraulic fracturing rules, which the administration first [tried to spin in terms of clearing the industry's name](#) and then later [were systematically weakened](#) after a top White House official met several times with industry groups.

Before last fall's election, when Obama still had everything to lose by taking a stand that could be construed as anti-economy, his agencies' wishywashyness sort of made sense. (Only sort of, though, since [politicizing legitimate public health concerns](#) actually doesn't make moral sense at all.) Now, though, it's baffling.

We can only hope that the lofty language and goals Obama laid out in [his June 25 speech](#) on how he (FINALLY!) plans to address the biggest environmental problem of all – climate change -- won't suffer the same fate as so many other of his administration's environmental initiatives.

*Sarah Gilman is HCN's associate editor*

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